

PS8C
(05/08)

January 26, 2009

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

Petition for Summons for Defendant on Pretrial Release

Name of Defendant: GRUMMER, David Michael

Dkt No.: 08CR1140-L

Reg. No.: 11924-298

Name of Judicial Officer: The Honorable M. James Lorenz, U.S. District Judge (Matter referred to the Honorable Jan M. Adler, U.S. Magistrate Judge)

Date Conditions Were Ordered: April 24, 2008, before the Honorable Jan M. Adler, U.S. Magistrate Judge

Conditions of Release: restrict travel to Southern District of California; report for supervision to Pretrial Services Agency (PSA) as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C. § 802, without a lawful medical prescription; not possess any firearm or other dangerous weapon or explosive device; read, or have explained, and acknowledge understanding of the Advice of Penalties and Sanctions Forms; provide the court a current residence address and telephone number prior to release from custody and keep it current while the case is pending; and actively seek and maintain full-time employment, schooling, or combination both;

Date Released on Bond: April 24, 2008

Charged Offense: 7:136j (A)(1)(A) and 1361 (B)(1)(B) - SALE OF UNREGISTERED PESTICIDE
42:7413 (c)(1) and 7671h - UNLAWFUL SALE OF OZONE DEPLETING
SUBSTANCE

Next Court Hearing: February 23, 2009 at 8:30 A.M. for sentencing before Judge M. James Lorenz on this underlying case (08CR1140-L).

Asst. U.S. Atty.: Melania Pierson
(619) 557-5685

Defense Counsel: Francisco Sanchez Jr. (retained)
(619) 232-8000

Prior Violation History: None.

PS8C

Name of Defendant: GRUMMER, David Michael
Dkt No.: 08CR1140-L

Page 2

PETITIONING THE COURT

TO SUMMON THE DEFENDANT TO APPEAR IN COURT AND ADDRESS THE ALLEGATIONS

The Pretrial Services officer believes that the defendant has violated the following condition(s) of pretrial release:

CONDITION(S)

(Standard Condition)

Not commit a federal, state or local crime during the period of release.

ALLEGATION(S) OF NONCOMPLIANCE

- The defendant was arrested on December 5, 2008, and charged with possession, receipt and distribution of images of children engaged in sexually explicit conduct. This is evidenced in the indictment (08CR4402-DMS) filed in the Southern District of California which indicates this conduct occurred between on or about January 17, 2008 and on or about July 25, 2008, during the defendant's pretrial release.

Grounds for Revocation:

The undersigned received and reviewed the complaint (08MJ3720) and indictment (08CR4402-DMS) filed in U.S. District Court, Southern District of California, which indicates the following allegations. Between, on or about January 17, 2008, and on or about July 25, 2008, the defendant possessed, received, and distributed child pornography a violation of Title 18 USC 2252 (a)(2): Receipt of Images of Children Engaged in Sexually explicit Conduct and Title 18 USC 2252 (a)(4)(B): Possession of Images of Children Engaged in Sexually explicit Conduct.

The defendant was arrested on December 5, 2008, and arraigned on these charges on December 8, 2008. A detention hearing was held before Magistrate Judge Anthony J. Battaglia and the defendant was detained as a risk of flight and danger.

SUPERVISION ADJUSTMENT

The defendant was released on his own signature for the underlying case and reported as directed.

Criminal computerized record checks reveal no new criminal activity outside the new alleged offense.

PS8C

Name of Defendant: GRUMMER, David Michael
Dkt No.: 08CR1140-L

Page 3

RECOMMENDATION/JUSTIFICATION

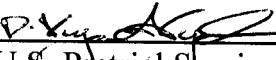
It appears the defendant committed the alleged offense while he was on pretrial release. Pretrial Services is recommending the defendant show cause why his pretrial release should not be revoked on this date.


I declare under penalty of perjury that the foregoing is true and correct.

Executed on: JAN 26, 2009

Respectfully submitted:
LORI A. GAROFALO
CHIEF PRETRIAL SERVICES OFFICER

Reviewed and approved:

by 
U.S. Pretrial Services Officer
D. Ryan Alejandria
(619) 446-3616
Place: San Diego, California


Moisés Santos
Supervising U.S. Pretrial Services Officer
(619) 557-7607

PS8C

Name of Defendant: GRUMMER, David Michael

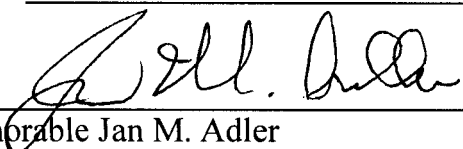
Dkt No.: 08CR1140-L

Page 4

THE COURT ORDERS:

☒ **AGREE**, cite the defendant to appear on *February 5, 2009* ~~January 27, 2009~~ at ~~2:00 p.m.~~ *4:00pm*, to show cause why his bond should not be revoked.

☐ Other _____



The Honorable Jan M. Adler
U.S. Magistrate Judge

Date *1/29/09*